

REMARKS

Applicants respectfully request reconsideration of the instant application in view of the amendments, herein, and the following remarks. Claims 1-20 are pending, of which claim 1 is *independent*. Claim 9 has been amended to correct its form. Claims 21-26 were withdrawn by a Response To Election Requirement filed on February 28, 2011. Furthermore, Applicants hereby amend the specification to address the issues raised by the Examiner concerning the abstract. No new matter has been added by the amendment.

Claim Rejections - 35 U.S.C. § 102

The Office Action rejected claims 1-20 under 35 U.S.C. § 102(e) as being anticipated by US Patent Publication No. 2004/0054944 A1 to Bates et al. (hereafter Bates). Applicants hereby traverse the rejection and respectfully request allowance of the pending claims.

Bates discloses a software debugger for a typical computer system:

The present invention generally relates to computers and computer software. More specifically, the invention is generally related to determining thread termination in a debugging environment.

Bates Para. 0002. Moreover, the *software* debugger application disclosed by Bates debugs software running on the same computer as the software debugger. *See, e.g.*, Paras. 0028 and 0033.

In contrast to single computer disclosed by Bates, independent claim 1 of the present application recites an *adjustment device* that adjusts a *control device*. Claim 1 recites that the adjustment device comprises at least one programmable unit and that the control device has a control device microcontroller. The Office Action does not identify either the adjustment device or control device in Bates, thus it also does not identify a programmable unit for the adjustment device or the microcontroller for the control device. Indeed, the Examiner could not show those features in Bates because they are not present. Bates only discloses debugger software running on computer system 10

having processor 12. *See*, Bates Fig. 1 and Para 0033. Thus, Bates does not show the two devices recited in claim 1.

It is not within the broadest reasonable scope of the claim terms, control device and adjustment device, to construe them to cover one physical computer as disclosed in Bates. Rather, it is clear from the disclosure of the present application that the adjustment device is a piece of hardware intended to interface with a separate control device in order to monitor and adjust the control device. *See, eg.* Paras 0010-0013.

The above-discussed distinction also applies to claims 2-20, which depend, directly or indirectly, from claim 1. In view of the foregoing, Applicants respectfully request withdrawal of the pending rejections and allowance of the pending claims.

CONCLUSION

Consequently, the reference cited by the Office Action do not disclose in the claimed invention. Thus, the Applicants respectfully submit that the supporting remarks and claimed inventions, claims 1-20, all: overcome all rejections and/or objections as noted in the office action, are patentable over and discriminated from the cited reference, and are in a condition for allowance. Furthermore, Applicants believe that the above remarks, which distinguish the claims over the cited reference, pertained only to noted claim element portions. These remarks are believed to be sufficient to overcome the prior art. While many other claim elements and/or bases for rejection were not discussed as they have been rendered moot based on the above remarks, Applicants assert that all such remaining and not discussed claim elements and/or bases for rejection, all, also are distinguished over the prior art and reserves the opportunity to more particularly traverse, remark and distinguish over any such remaining claim elements and/or bases for rejection at a later time should it become necessary. Further, any remarks that were made in response to an Office Action objection and/or rejection as to any one claim element, and

which may have been re-asserted as applying to another Office Action objection and/or rejection as to any other claim element(s), any such re-assertion of remarks is not meant to imply that there is commonality about the structure, functionality, means, operation, and/or scope of any of the claim elements, and no such commonality is admitted as a consequence of any such re-assertion of remarks. As such, Applicant does not concede that any claim elements have been anticipated and/or rendered obvious by any of the cited reference. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection and allowance of all claims.

AUTHORIZATION

Applicant hereby authorizes and requests that the Commissioner charge any fee or credit any overpayment for such an extension of time to Deposit Account No. 15-0665, Order No. 020301-004007.

Respectfully submitted,
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